

## PERMIT CHECK LIST

The following people have reviewed the permit:

Reviewing Permitting Engineer: \_\_\_\_\_

Air Inspector: \_\_\_\_\_

Air Compliance Manager: \_\_\_\_\_

Date: December 12, 2008

Source Name: HRSD Atlantic WWTP Registration No: 60959 Id. No.: 51-810-00035

Source Location: 645 Firefall Drive, Virginia Beach, VA 23454

Mail Address: PO Box 5911, Virginia Beach, VA 23471

Source Status: \_\_\_\_\_ Greenfield ☒ Currently operating

Source Classification: \_\_\_\_\_ Minor ☒ SynMinor \_\_\_\_\_ State Major \_\_\_\_\_ PSD Major \_\_\_\_\_ TV Major

Permit Action: HRSD Atlantic is expanding to allow for additional plant flow handling capacity and combustion sources. The 36 million gallon per day (MGD) facility will be capable of an increase to 54 MGD by 2010.

### **Permit Action Program:**

\_\_\_\_\_ NSR ☒ SOP \_\_\_\_\_ TV \_\_\_\_\_ Maj HAP

### **Permit Action Type:**

☒ New / ~~Article 6 Modification~~ \_\_\_\_\_ Significant Amendment/Modification

\_\_\_\_\_ Minor Amendment/Modification \_\_\_\_\_ Administrative Amendment \_\_\_\_\_ Renewal

\_\_\_\_\_ State Major \_\_\_\_\_ PSD \_\_\_\_\_ Non-Attainment \_\_\_\_\_ General

Y (Y/N) Permit Includes All Emission Units at Source.

Y (Y/N) Permit Allows Source to avoid Title V/MACT/etc.

After this permit, source is: \_\_\_\_\_ Major (A) \_\_\_\_\_ Minor (B) ☒ Synthetic minor (SM)

SOx Pollutant, NOx Pollutant

### **Permit Application Review**

☒ Permit application submitted, or \_\_\_\_\_ Letter Request

Application Received Date: June 18, 2008

Application Complete Date: December 2, 2008

Permit Deadline Date: March 2, 2009

Y Document Certification Form received

n/a Confidential information with sanitized copy. If yes, which sections:

\_\_\_\_\_ throughputs \_\_\_\_\_ individual pollutants \_\_\_\_\_ flow diagrams \_\_\_\_\_ calculations

\_\_\_\_\_ process descriptions \_\_\_\_\_ other (describe)

*If yes, has claim been accepted by DEQ? (Y/N) - Date of letter: \_\_\_\_\_*

n/a Copy of letter from local official for greenfield, or major modified sources

n/a Copy of letter sent to FLM if applicable. (Comments)

n/a Notification of Affected State(s)

This permit supersedes permit(s) dated new SOP (supersedes NSR's dated 11/5/79 and 7/11/01).

### **Regulatory Review**

BACT Determination (check one):

☒ annual operating limit of 500 hr/yr which equates to a fuel throughput limit of 262,200 gallons of distillate oil per year (diesel engine generator - D3) for the control of NOx meets BACT  
Fuel throughput limit (waste gas burners - F1-F3) for the control of SO2 meets BACT

## Regulatory Review (cont.)

Digas throughput limit (boilers B1-B4) for the control of SO2 meets BACT

     TV/SOP/BACT not applicable. (Explain)\_\_\_\_\_

Y (Y/N) NSPS/MACT/NESHAPS Applicability: If Y, Subpart(s):

    III and Kb NSPS

     MACT

     NESHAPS

N (Y/N) Existing Rules (9 VAC 5 Chapter 40) Applicability: If Y, Rule(s):

Toxic Pollutants (check one):

✓ Exempt, or      in compliance with 9 VAC 5-60-320, or      not evaluated (**Reminder: remember to change the regulation to 9 VAC 5-60-220 when doing a SOP for existing sources**).

[Comments: \_\_\_\_\_]

Modeling (check one):

     Attached (including background monitors), or

     Copy of approval letter from modeling section,

     No modeling required by agency policy (< modeling significance levels, etc.)

Site Suitability:

✓ Site suitable from an air pollution standpoint, inspection date 6/19/08, or no inspection required because \_\_\_\_\_.

Y Calculation sheet(s) attached (and facility submitted calcs verified)

N (Y/N) NSR Netting      Comments (Explain Permit History):

N (Y/N) (CAM) Compliance Assurance Monitoring Applicable

Permit includes:      Stack Testing         CEM         VEE by source

## Public Participation

Y (Y/N) Public Noticed. If yes, Public Notice Date: December 14, 2008

     (Y/N) Public Notice Comments. If yes, number and nature of comments:

     (Y/N) Public Hearing. If yes, Public Hearing Date:

## EPA Review

     (Y/N) EPA Review. If yes, Date proposed permit sent to EPA \_\_\_\_\_.

     (Y/N) EPA Comments. If yes, give a brief summary \_\_\_\_\_.

**Comments:**     This facility is upgrading and adding equipment to allow for an increase in plant flow from 36 million gallons per day (MGD) to 54 MGD. New equipment includes a diesel generator, waste gas burners, boilers and underground storage tanks. Several boilers and generators were previously permitted or located at the facility and will remain.

    The two diesel generators already at the Atlantic plant were previously permitted with an NSR on 7/11/01. The 2001 NSR requires the use of 0.05% S fuel in the generators (D1 and D2) and the throughput limits established in that permit allow for operation of each generator for 500 hr/yr. The facility requested the same run time limitation for the new generator. A consolidated fuel throughput limit in the permit corresponds to a 500 hr/yr run time for each generator. The new generator (D3) is subject to NSPS IIII which is only federally enforceable at this time. Guidance document APG-569 was used with regard to the new generator (unit D3). All three of these generators are *not* designated as 'emergency use only'.

**Regulatory Review (cont.)**

There were two boilers, each rated at 8.4 MMBtu/hr, at the facility permitted with the 11/5/79 NSR. Two additional 8.4 MMBtu/hr boilers are to be installed with this permit for a total of four. There was no fuel throughput limitation in the 1979 permit on the old boilers. Calculations submitted by the facility show a fuel limit of 109 mmcf/yr on the digester gas for all 4 units. This fuel throughput limit satisfies BACT for SO<sub>2</sub> and therefore BACT applies to all 4 units as the modification was made to the facility and BACT was established for all applicable units. There is no fuel throughput limit on natural gas as emissions were calculated at 8760 hr/yr. The only known emission factors for digester gas were developed by California's East Bay Municipal Utility District. These factors were also used for the HRSD Nansemond permit. The initial boiler units, in the 1979 permit, have approved fuels designated as digester gas and #2 fuel oil. However, as per the email dated 11/3/08 from Mark Feltner, the fuel oil system will be removed and replaced with a new secondary natural gas system to compliment the digester gas.

The remaining boilers (B5-B7) are not subject to existing source standards as they were installed after 1972. There was no fuel throughput limit for boilers B5-B7 in the 1979 permit. Calculations for these boilers were completed at 8760 hr/yr each, so that emissions could be included in the facility wide emissions condition.

The HAPs are mainly a result of the liquids management operations. At the newly expanded capacity for the plant, the potential HAP emissions total 9.5 tons per year for the liquids management system with 2.4 tons per year of that being toluene, and the rest are all below 0.5 tpy so they are not listed. The facility wide total comes to 11 tpy. The limits set forth in this SOP will ensure the HAPs remain below the 10/25 tpy threshold that would otherwise make this a major source. The facility submitted calculations with the application, which were verified, (see spreadsheet titled HRSD Atlantic WWTP Raw Influent Analysis for HAPs under the CAA - 2010) that show all compounds are below Virginia Toxics Exemption levels as well.

**Final Recommendation:** Recommend Approval.

Environmental Engineer's Signature: \_\_\_\_\_

Air Permit Manager's Signature: \_\_\_\_\_

January 14, 2009

Mr. Edward G. Henifen, P.E.  
General Manager  
HRSD Atlantic WWTP  
PO Box 5911  
Virginia Beach, VA 23471

Location: Virginia Beach  
**Registration No.: 60959**  
AFS Id. No. 51-810-00035

Dear Mr. Henifen:

Attached is a permit to construct and operate a waste water treatment facility in accordance with the provisions of the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. This permit supersedes your NSR permits dated November 5, 1979 and July 11, 2001.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

In the course of evaluating the application and arriving at a final decision to approve the project, the Department of Environmental Quality (DEQ) deemed the application complete on November 3, 2008 and solicited written public comments by placing a newspaper advertisement in The Virginian-Pilot on December 14, 2008. The required comment period, provided by 9 VAC 5-80-1170 D expires on January 13, 2009.

This permit approval to construct and operate shall not relieve Hampton Roads Sanitation District - Atlantic Plant of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. 9 VAC 5-170-200 provides that you may request direct consideration of the decision by the Board

if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director  
Department of Environmental Quality  
P. O. Box 1105  
Richmond, VA 23218-1105

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

The proposed generator (Unit Ref. No. D3) rated at 1825 kW is an affected unit under 40 CFR 60, Subpart IIII, and is therefore subject to owner/operator requirements of the NSPS. In summary, the unit is required to comply with certain federal emission standards and operating limitations over its useful life. The DEQ advises you to review the attached NSPS to ensure compliance with applicable emission and operational limitations. As the owner/operator you are also responsible for monitoring, notification, reporting and recordkeeping requirements of the NSPS. Notifications shall be sent to the address below.

A copy of the results of any performance test(s) required by 40 CFR 60, Subparts IIII and Kb shall to be sent to:

Associate Director  
Office of Air Enforcement (3AP10)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

If you have any questions concerning this permit, please contact Kelly R. Giles at 757-518-2155.

Sincerely,

Jane A. Workman  
Air Permit Manager

jaw/kg/60059\_002\_08\_SOPnew.doc

Attachments: Permit  
                  NSPS, Subpart IIII  
                  NSPS, Subpart Kb

cc: Director, OAPP (electronic file submission)  
     Manager, Data Analysis (electronic file submission)  
     Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III  
     Manager/Inspector, Air Compliance

**STATIONARY SOURCE PERMIT TO OPERATE**  
**This permit includes designated equipment subject to**  
**New Source Performance Standards (NSPS).**

This permit supersedes your permits dated November 5, 1979 and July 11, 2001.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia  
Regulations for the Control and Abatement of Air Pollution,

Hampton Roads Sanitation District  
PO Box 5911  
Virginia Beach, VA 23471  
**Registration No.: 60959**

is authorized to operate

waste water treatment plant

located at

HRSD Atlantic WWTP  
645 Firefall Drive  
Virginia Beach, VA 23454

in accordance with the Conditions of this permit.

Approved on

DRAFT.

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Francis L. Daniel

Permit consists of 9 pages.  
Permit Conditions 1 to 28.

## **INTRODUCTION**

1. This permit approval is based on the permit application dated August 9, 1979, January 18, 2001 and June 17, 2008, including supplemental information dated May 16, 2001, June 20, 2001, July 21, 2008, July 24, 2008, July 25, 2008, August 6, 2008, August 20, 2008, October 22, 2008, October 23, 2008 and November 3, 2008. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

## **PROCESS REQUIREMENTS**

2. **Equipment List** - Equipment at the facility consists of the following:

Equipment to be Constructed				
Reference No.	Equipment Description	Rated Capacity		Federal Requirements
D3	One (1) Diesel generator	17 mmBtu/hr		NSPS Subpart IIII
F1 - F3	Three (3) Waste gas burners	31 mmBtu/hr each		N/A
B3 & B4	Two (2) Digester/Natural gas fired boilers	8.4 mmBtu/hr each		N/A
T1-T3	Three (3) Underground Storage Tanks - Diesel	20,000 gallons each		NSPS Subpart Kb
Equipment permitted prior to the date of this permit				
Reference No.	Equipment Description	Rated Capacity	Federal Requirements	Original Permit Date
B1 & B2	Two (2) Digester/Natural gas fired boilers	8.4 mmBtu/hr each	N/A	November 5, 1979 - NSR
B5	One (1) #2 Fuel Oil fired boiler	1.9 mmBtu/hr	N/A	November 5, 1979 - NSR
B6	One (1) #2 Fuel Oil fired boiler	0.84 mmBtu/hr	N/A	November 5, 1979 -NSR
D1 & D2	Two (2) Diesel generators	19.7 mmBtu/hr each	N/A	July 11, 2001 - NSR
Equipment installed prior to the date of this permit				
Reference No.	Equipment Description	Rated Capacity	Federal Requirements	Installation Date
B7	One (1) #2 Fuel Oil fired boiler	2.8 mmBtu/hr	N/A	1988

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit.

(9 VAC 5-80-850)



### **OPERATING LIMITATIONS**

3. **Fuel** - The approved fuel for the equipment is as follows:

Reference No.	Equipment Description	Rated Capacity	Approved Fuel Type
D1 & D2	Diesel Generators	19.7 mmBtu/hr each	Distillate Oil
D3	Diesel Generator	17 mmBtu/hr	Distillate Oil
B1 - B4	Boilers	8.4 mmBtu/hr each	Natural Gas and Digester Gas
B5	Boiler	1.9 mmBtu/hr	Distillate Oil
B6	Boiler	0.84 mmBtu/hr	Distillate Oil
B7	Boiler	2.8 mmBtu/hr	Distillate Oil
F1 - F3	Waste Gas Burners	31 mmBtu/hr each	Digester Gas
T1 - T3	Underground Storage Tanks	20,000 gallons each	Distillate Oil

A change in the fuel may require a permit to modify and operate.

(9 VAC 5-80-850, 9 VAC 5-80-1100, 11/5/79 NSR and 7/11/01 NSR)

4. **Fuel Throughput** - The three diesel generators (Unit Ref. Nos. D1-D3), combined, shall consume no more than 262,200 gallons of distillate oil per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-850, 9 VAC 5-50-260 and 7/11/01 NSR)

5. **Fuel Throughput** - The four boilers (Unit Ref. Nos. B1-B4), combined, shall consume no more than 109 million cubic feet of digester gas per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-850, 9 VAC 5-50-260 and 11/5/79 NSR)

6. **Fuel Throughput** - The three waste gas burners (Unit Ref. Nos. F1-F3), combined, shall consume no more than 184 million cubic feet of digester gas per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

(9 VAC 5-80-850 and 9 VAC 5-50-260)

7. **Fuel** - The distillate oil for the three diesel generators (Unit Ref. Nos. D1-D3) shall meet the specifications below:

DISTILLATE OIL which meets the ASTM D396 specification for numbers 1 or 2 fuel oil:

Maximum sulfur content per shipment: 0.05%

(9 VAC 5-80-850)

8. **Fuel - Beginning June 1, 2010**, the distillate oil for the diesel generator (Unit Ref. No. D3) shall meet the specifications below:

DISTILLATE OIL which meets the ASTM D396 specification for numbers 1 or 2 fuel oil:  
Maximum sulfur content per shipment: 0.015%  
(9 VAC 5-80-850)

9. **Fuel** - The distillate oil for the 1.9 mmBtu/hr, the 0.84 mmBtu/hr and the 2.8 mmBtu/hr boilers (Unit Ref. Nos. B5, B6 and B7) shall meet the specifications below:

DISTILLATE OIL which meets the ASTM D396 specification for numbers 1 or 2 fuel oil:  
Maximum sulfur content per shipment: 0.5%  
(9 VAC 5-80-850)

10. **Fuel Certification** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:

- a. The name of the fuel supplier;
- b. The date on which the distillate oil was received;
- c. The quantity of distillate oil delivered in the shipment;
- d. A statement that the distillate oil complies with the American Society for Testing and Materials specifications (ASTM D396) for numbers 1 or 2 fuel oil; and
- e. The sulfur content of the distillate oil.

Fuel sampling and analysis, independent of that used for certification, as may be periodically required or conducted by DEQ may be used to determine compliance with the fuel specifications stipulated in Condition numbers 7 and 8. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.  
(9 VAC 5-80-850 and 9 VAC 5-50-410)

11. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment as described in Condition 2 shall be operated in compliance with the requirements of 40 CFR 60 Subpart Kb. Note: All applicable requirements of 40 CFR 60, Subpart Kb **are not** specifically listed in this permit. The permittee should refer to the applicable regulation for additional requirements not included in this permit.

(9 VAC 5-80-850, 9 VAC 5-50-400 and 9 VAC 5-50-410)

## **EMISSION LIMITS**

12. **Process Emission Limits** - Emissions from the operation of the three diesel generators (Unit Ref. Nos. D1-D3) shall not exceed the limits specified below:

	<u>Combined</u>
Particulate Matter (PM)	0.9 tons/yr
PM-10	0.8 tons/yr
Sulfur Dioxide	0.7 tons/yr
Nitrogen Oxides (as NO <sub>2</sub> )	38.5 tons/yr
Carbon Monoxide	12.2 tons/yr
Volatile Organic Compounds	1.3 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 3, 4, 7, 8, 10 and 16  
(9 VAC 5-80-850, 9 VAC 5-50-260 and 7/11/01 NSR)

13. **Process Emission Limits** - Emissions from the operation of the four boilers (Unit Ref. Nos. B1-B4), shall not exceed the limits specified below:

	<u>Each</u>	<u>Combined</u>
Particulate Matter (PM)	0.3 lbs/hr	1.2 tons/yr
PM-10	0.3 lbs/hr	1.2 tons/yr
Sulfur Dioxide	4.7 lbs/hr	22.9 tons/yr
Nitrogen Oxides (as NO <sub>2</sub> )	0.8 lbs/hr	14.7 tons/yr
Carbon Monoxide	0.7 lbs/hr	12.4 tons/yr
Volatile Organic Compounds	0.1 lbs/hr	0.8 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 3, 5 and 17  
(9 VAC 5-80-850, 9 VAC 5-50-260 and 7/11/01 NSR)

14. **Process Emission Limits** - Emissions from the operation of the three waste gas burners (Unit Ref. Nos. F1-F3), shall not exceed the limits specified below:

	<u>Each</u>	<u>Combined</u>
Particulate Matter (PM)	0.3 lbs/hr	0.6 tons/yr
PM-10	0.3 lbs/hr	0.6 tons/yr
Sulfur Dioxide	21.7 lbs/hr	38.7 tons/yr
Nitrogen Oxides (as NO <sub>2</sub> )	2.3 lbs/hr	4.1 tons/yr
Carbon Monoxide	21.3 lbs/hr	38.0 tons/yr
Volatile Organic Compounds	5.4 lbs/hr	9.7 tons/yr
Hazardous Air Pollutants (HAPs)		1.3 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 3 and 6. (9 VAC 5-80-850 and 9 VAC 5-50-260)

**15. Facility wide Emission Limits** - Total emissions from the waste water treatment facility shall not exceed the limits specified below:

Particulate Matter (PM)	3.1 tons/yr
PM-10	2.9 tons/yr
Sulfur Dioxide	74.8 tons/yr
Nitrogen Oxides (as NO <sub>2</sub> )	60.8 tons/yr
Carbon Monoxide	63.4 tons/yr
Volatile Organic Compounds	33.3 tons/yr
Hazardous Air Pollutants (HAPs)	11.0 tons/yr
Toluene	2.4 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 3 - 9, 16 and 17.  
(9 VAC 5-80-850, 9 VAC 5-50-260, 11/5/79 NSR and 7/11/01 NSR)

**16. Visible Emission Limit** - Visible emissions from each of the three diesel generators (Unit Ref. Nos. D1-D3) shall not exceed 10 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-80-850, 9 VAC 5-50-260, 9 VAC 5-50-410 and 7/11/01 NSR)

**17. Visible Emission Limit** - Visible emissions from each of the four boilers (Unit Ref. Nos. B1-B4) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.  
(9 VAC 5-80-850 and 9 VAC 5-50-80)

## **RECORDS**

- 18. On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- Annual throughput of distillate oil for the three diesel generators (Unit Ref. Nos. D1-D3), combined, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

- b. Annual throughput of digester gas for the four boilers (Unit Ref. Nos. B1-B4), combined, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- c. Annual throughput of digester gas for the waste gas burners (Unit Ref. Nos. F1-F3), combined, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- d. All fuel supplier certifications.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-850 and 9 VAC 5-50-50)

## **NOTIFICATIONS**

19. **Initial Notifications** - The permittee shall furnish written notification to the Tidewater Regional Office of:

- a. The actual date on which construction of the diesel generator, waste gas burners, boilers and underground storage tanks commenced within 30 days after such date.
- b. The actual start-up date of the diesel generator, waste gas burners, boilers and underground storage tanks within 15 days after such date.

Copies of the written notification referenced in items a and b above, pertaining to the diesel generator and underground storage tanks are to be sent to:

Associate Director  
Office of Air Enforcement (3AP10)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

(9 VAC 5-50-50 and 9 VAC 5-80-1180)

20. **Permit Invalidation** – The portions of this permit to construct the diesel generator, waste gas burners, boilers and underground storage tanks shall become invalid, unless an extension is granted by the DEQ, if:

- a. A program of continuous construction, reconstruction, or modification is not commenced within the latest of the following:
  - i. 18 months from the date of this permit;
  - ii. Nine months from the date that the last permit or other authorization was issued from any other governmental entity;
  - iii. Nine months from the date of the last resolution of any litigation concerning any such permits or authorization; or

- b. A program of construction, reconstruction, or modification is discontinued for a period of 18 months or more, or is not completed within a reasonable time, except for a DEQ approved period between phases of a phased construction project.  
(9 VAC 5-80-1210)

## **GENERAL CONDITIONS**

21. **Emission Testing** - The waste water treatment plant shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. This includes constructing the facility/equipment such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and providing a stack or duct that is free from cyclonic flow. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.  
(9 VAC 5-80-880 and 9 VAC 5-80-850)

22. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:
- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
  - b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
  - c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
  - d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130 and 9 VAC 5-80-850)

23. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Director, Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone, or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Director, Tidewater Regional Office in writing.  
(9 VAC 5-20-180 C and 9 VAC 5-80-850)

24. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-20-180 I and 9 VAC 5-80-850)
25. **Maintenance/Operating Procedures** – At all times, including periods of start-up, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.  
(9 VAC 5-50-20 E and 9 VAC 5-80-850)
26. **Permit Suspension/Revocation** - This permit may be revoked if the permittee:
- a. Knowingly makes material misstatements in the permit application or any amendments to it;
  - b. Fails to comply with the terms or conditions of this permit;
  - c. Fails to comply with any emission standards applicable to a permitted emissions unit;
  - d. Causes emissions from this facility which result in violations of, or interferes with the attainment and maintenance of, any ambient air quality standard;
  - e. Fails to operate this facility in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time that an application for this permit is submitted;
  - f. Fails to comply with the applicable provisions of Articles 6, 8 and 9 of 9 VAC 5 Chapter 80.  
(9 VAC 5-80-1010)
27. **Change of Ownership** - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Director, Tidewater Regional Office of the change of ownership within 30 days of the transfer.  
(9 VAC 5-80-940)
28. **Permit Copy** - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.  
(9 VAC 5-80-860 D)

## **DRAFT PERMIT APPROVAL FORM**

Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Blvd.  
Virginia Beach, Virginia 23462

### **Instructions:**

The "Draft Permit Approval Form" provides the owner or certified company official an opportunity to accept or suggest appropriate changes to a draft permit. If a signed form is not received within one (1) week of the date of receipt of the draft permit, DEQ will assume that the draft permit is considered acceptable and will proceed with processing the permit. **Please check the applicable statement(s) below after thoroughly reviewing the draft permit. Scanned forms (with signatures) may be returned to [kgiles@deq.virginia.gov](mailto:kgiles@deq.virginia.gov) or [jaworkman@deq.virginia.gov](mailto:jaworkman@deq.virginia.gov).**

**If scanning is not available, please fax to 757-518-2009, Attention: Kelly R. Giles or Ms. Jane A. Workman**

\_\_\_\_\_ The owner or certified company official agrees with the conditions of the draft permit dated \_\_\_\_\_ . Please proceed to issue the permit with no change.

\_\_\_\_\_ The owner or certified company official finds condition number(s) \_\_\_\_\_ of the draft permit dated \_\_\_\_\_ unacceptable.

\_\_\_\_\_ The suggested changes are attached for your consideration.

\_\_\_\_\_ The owner or certified company official requests further discussion with DEQ regarding the above referenced condition(s).

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Facility: \_\_\_\_\_

Date: \_\_\_\_\_